



MEMO To The Branch 2184 Leadership Council, October 18, 2022

Walt McGregory
Jackie McGregory
Darryl Clay
Mel MacDonald
Cathy Tondreau
Jim Powell
Phil Ashford
Tracy Mitchell
Gloria Warthen
Felicia Davis
Leonard Zawisa
Dave Reise
Erik Venzke
Kris Shaw
Mark Owen
Scott Russell
Karen Russell
Tod Lilla
Ryan Zyngier
Bryon Hendricks
Jillian Hudgins
Symone Coleman
Yvonne Jackson
Karl Tamburro
Damon Green
Shaun Fowlkes
Marwan Ghotemi
Chanel Harrison
Lillian Bogosian
Scherrie Lacey
Scherkeira Wells
Scott Watts
Valerie Watkins
Elizabeth Bays
Tamara Bosman
Kristie Nelson
Diego Forshaw
Keith Benedict
Victor Siemiesz
William Douglas
Jeffrey Webb
Nakia Whitfield
Katrina Jones
Ananias Epps
Ramon Robinson
Denise Viola
Paul Bordine
Mike Tredway
Danita Hill

This month's Leadership Council Memo will begin with an update on Branch administrative matters. Our next regular membership meeting is scheduled for Wednesday, November 2 at 7:30 p.m. This meeting will be conducted online by use of WebEx. To participate, contact Branch Executive Vice President Jackie McGregory at (313) 412-0028, or ravier7498@gmail.com. Provide your name, the office you work at or retired from, and the email address you want to use for the WebEx link to log in. The link will be sent at least two days prior to the meeting. The Branch website (NALC2184.org) also has a telephone number and access code if you want to participate in the meeting telephonically.

There will be a steward meeting on Tuesday, November 15 at 7:00 p.m. This meeting will also be conducted online by use of WebEx. This is the only steward meeting scheduled for the month of November due to the occurrence of the Veterans Day and Thanksgiving holidays. Of note, there will also be just one steward meeting in December, on Tuesday the 13th at 7:00 p.m.

On Saturday, November 19, all USPS City Letter Carriers will receive a 1.3% Contractual pay raise, which is the last **regular Contractual pay raise** (not COLA) for the current Contract cycle. All CCAs will receive an additional 1% pay increase, which they receive in lieu of cost of living adjustments (COLA). Career city carriers are also scheduled to receive an additional COLA following the release of the January 2023 Consumer Price Index. This will be final COLA for the current Contract cycle and it would become effective in late February or early March 2023. The current 2019-2023 National Agreement expires at midnight Saturday, May 20, 2023. The NALC and USPS are expected to begin negotiations on a successor agreement sometime in February 2023.

Also, on November 19 this year a new Step P will be added the career city carrier pay schedule. This will add \$444 annually for those at the top of the letter carrier pay scale. The waiting period for the new step will be 46 weeks. Career letter carriers that have been at Step O (the current top step) for at least 46 weeks will be placed in the new Step P immediately. The new step will not only increase top level letter carrier pay, but also the "high 3" averages for calculation of retirement annuities.

Plymouth steward and formal Step A designee Tamara Bosman has successfully completed training as a NALC Step B Dispute Resolution Team member and she has been certified as Step B Dispute Resolution Process representative. Congratulations to Tamara! Ypsilanti steward and Step A designee Mike Tredway has completed the "School of Stewards II" training conducted by our National Business Agent David Mudd's office. Congratulations to Mike! The Branch intends to continue to utilize every opportunity to develop and enhance the Contract enforcement skills of our stewards. The "School of Stewards" is an excellent example of the valuable tools and opportunities that our Union's current National and Regional leadership makes available for NALC activists.

The annual Open Season for Federal Employees Health Benefits (FEHB) for plan year 2023 is quickly approaching. It will begin on Monday, November 14 and continue through Monday, December 12. Both active and retired letter carriers can enroll in an FEHB plan, change plans, or make changes within their current plan.

Be aware that "Medicare integration" with the FEHB for USPS retirees does NOT begin until 2025. As always, **ALL members should be encouraged to strongly consider the NALC's own excellent Health Benefit Plan for their coverage.** Rumors and misinformation about FEHB changes as well as related matters such as the Medicare integration that will occur in a few years continue to be widespread. Stewards should direct our members to authentic sources of information, such as OPM and the NALC Health Benefit Plan.

Of note, those nearing retirement are sometimes reluctant to make changes in their FEHB plan because of misinformation about FEHB eligibility after retirement. However, as long as a letter carrier has been enrolled in ANY FEHB plan or plans for five consecutive years at the time of retirement, they are eligible to carry forth their FEHB coverage into retirement. **As such, they can change plans or coverages during any Open Season in the years immediately prior to retiring without jeopardizing their eligibility for coverage after retirement.** What they cannot and should not do is cancel their FEHB coverage entirely when within five years of retirement.

We are now in the "holiday dense" portion of the postal year, as eight of the eleven official postal holidays occur between early September (Labor Day) and mid-February (Presidents Day). With this in mind, all of our stewards and contract enforcers should carefully review the holiday scheduling provisions of Article 11 of the Contract as well as those in Item #13 of our Branch 2184 Local Memorandum of Understanding (LMOU). With every holiday, there are issues caused by misunderstanding and misapplication of the holiday scheduling process and requirements, some these caused by management and some of these caused by unknowledgeable letter carriers - for example the ongoing myth that the Overtime Desired List (ODL) must be utilized when making the schedule. **The ODL and Article 8 itself have are not considered in any manner with the formulation of a holiday schedule.**

As another pertinent example, Christmas Day this year as well as New Years Day 2023 both fall on a Sunday. Because of this, both USPS holidays will be observed on Monday; on December 26, 2022 and January 2, 2023. This is as prescribed by Article 11, section 5.A of the Contract. When an official USPS holiday falls on a Sunday, it always moves to Monday, not to Saturday as some incorrectly believe. **Stewards that are unsure about any aspect of holiday scheduling should seek guidance from Branch officers or others with extensive contractual knowledge and experience.**

A problem that still exists with holiday scheduling in some Branch 2184-represented offices involves work on the day of a holiday itself. Management continues to schedule CCAs to do this work without first utilizing and applying our negotiated "pecking order" in our LMOU for work on a holiday. **Remember that the requirements for scheduling work on a holiday itself are NO different than with a holiday schedule that typically occurs on the day before a holiday.** Our negotiated order of scheduling **always applies.** As long as eight or more hours of work is expected to be performed by letter carriers on the day of a holiday itself, prior to scheduling CCAs to work management **MUST** 1) schedule PTFs to work, 2) seek volunteers from fulltime carriers those whose holiday it is, and 3) seek volunteers from those whose nonscheduled day it is. **Only after PTFs are scheduled and management has sought volunteers from the entire fulltime regular workforce should CCAs be scheduled to work on a holiday itself.**

Stewards should also be preparing for the start of the 2023 annual leave selection process in all Branch 2184 offices, which will begin on **Thursday, December 1**. Again, we must turn to our Branch 2184 Local Memorandum of Understanding, wherein there is the entire locally negotiated procedures and rules for annual leave submissions and approval, **found in Items #4 through #12**. Additionally, stewards should be sure that they are fully knowledgeable of the annual leave provisions in Article 10, sections 1 through 4 of the Collective Bargaining Agreement, as well as in the Employee and Labor Relations Manual (ELM), subchapter 510 and especially section 512.

Always remember that the formulation of the annual leave board in each station is NOT ever a unilateral, management only process. **Our local union representatives MUST fully participate**. This includes but is not limited to ensuring that the negotiated percentages allowed off for the choice and non-choice vacation periods are correctly calculated in accordance with our LMOU. **Please read over the separate memo concerning the forthcoming 2023 leave year. Any steward with questions or concerns should immediately seek guidance from the union office.**

At the September steward meeting, the Leadership Council Memo and accompanying documents included a discussion of issues related to USPS management's practice of arbitrarily requiring medical updates every 30 days for light and limited duty carriers. Also mentioned in the LC Memo was the separate management practice of arbitrarily requiring such updates from letter carriers with "8/40" hour restrictions (no overtime), but who otherwise can perform all assigned letter carrier work – **and thus are NOT on light duty** (see M-01360).

A further clarification is in order to ensure that grievance responses to arbitrary 30-day medical update demands for "8/40" hours restrictions **do NOT include a citation of M-01437, which is applicable to only to light duty situations**. Please utilize the contractual citations listed in the separate Memo provided with the September steward meeting info only for grievances in response to 30-day medical update demands for light and limited duty carriers. With an "8/40" (no overtime) situation, union arguments in response to arbitrary 30-day medical update demands should be that this is a unilateral and non-negotiated policy for which management has no contractual basis or support.

Also keep in mind that it is reasonable for management to expect carriers with medical restrictions on their regular duties – whether light or limited duty, to periodically update them, just not at arbitrary 30-day intervals. A good practice is for carriers with ongoing medical restrictions is to have them updated whenever they are seeing their physicians anyway for regular appointments at intervals determined by the physicians.

Most stewards are (or should be) aware that an approved PS Form 3189 – Request for Temporary Schedule Change for Personal Convenience, when made for the specific purpose of an early start, prohibits the carrier from working any post-tour overtime on the day of the change, either voluntarily or involuntarily. This is per M-01079, a national level pre-arbitration settlement from 1992. This is something that a steward should routinely monitor after signing a 3189.

However, a question was asked about the applicability of this language to a less common situation where a carrier has an approved 3189 **for a later start time**. The answer is NO, it does not apply where a voluntary schedule change was requested and approved for a later start time. The relevant language in M-01079 states that: "During our discussion, we mutually agreed that the intent of filing a **Form 3189 which requests an earlier leaving time is to obtain approval for the employee to leave at that earlier time**. Consequently, it is inappropriate for management to approve such a form and then require the employee to work post-tour overtime in other than an emergency situation." In short, an approved 3189 for a later start does NOT preclude a carrier from working overtime that day.